

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07	UNITED STATES OF AMERICA,)	
)	
08	Plaintiff,)	Case No. CR06-26-RSL-JPD
)	
09	v.)	
)	
10	DANIEL MENGISTEAB YOHANNES,)	DETENTION ORDER
)	
11	Defendant.)	
	_____)	

Offenses charged:

Count 1: Conspiracy to Distribute Cocaine Base in violation of 21 U.S.C. §§ 841(a)(1), and 841(b)(1)(A), and 846.

Counts 10 through 15: Distribution of Cocaine Base in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

Date of Detention Hearing: February 15, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges.

(2) The information regarding defendant's place of residency is unverifiable..

01 (3) Defendant has had past substance-abuse problems, and it appears that those
02 problems are ongoing.

03 (4) The Assistant United States Attorney proffered a police report of December 2003,
04 indicating that defendant made severe physical threats against his parents, and reportedly took
05 a knife and removed an electronic monitoring device from his ankle.

06 (5) A criminal background history check reveals that defendant has failed to appear
07 in Court on five (5) separate occasions, all involving driving offenses.

08 (6) It is alleged that defendant is associated with the East African Posse street gang,
09 which is reported to be involved heavily in criminal activity, including violent activity. This is
10 part of the conspiracy charge in the first count of the indictment.

11 (7) Defendant's instant charges are serious offenses, and he faces a mandatory
12 minimum sentence if convicted.

13 (8) There are no conditions or combination of conditions that will reasonably assure
14 the appearance of defendant as required, or the safety of the community

15 IT IS THEREFORE ORDERED:


16 (1) Defendant shall be detained pending trial and committed to the custody of the
17 Attorney General for confinement in a correction facility separate, to the extent
18 practicable, from persons awaiting or serving sentences or being held in custody
19 pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 (3) On order of a court of the United States or on request of an attorney for the
23 government, the person in charge of the corrections facility in which defendant
24 is confined shall deliver the defendant to a United States Marshal for the purpose
25 of an appearance in connection with a court proceeding; and
26

01 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 15th day of February, 2006.

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06 JAMES P. DONOHUE
07 United States Magistrate Judge
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